

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Latisha L. Johnson,)	C/A 3:04-2481-CMC-BM
)	
Plaintiff,)	
)	
v.)	OPINION AND ORDER
)	
Time Warner Communications, South)	
Carolina Division,)	
)	
Defendant.)	
)	

Plaintiff Johnson, is a former employee of Defendant Time Warner Communications, South Carolina Division, filed this action, *pro se*, pursuant to the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.* Defendant filed a motion for summary judgment and the court advised Plaintiff of the importance of a motion for summary judgment, the need for Plaintiff to file a response, and the possible consequences if she failed to respond. Plaintiff filed no response to the motion. In accordance with this court's order of reference and 28 U.S.C. § 636(b), this matter comes before the court with the Report and Recommendation of United States Magistrate Judge Bristow Marchant.

This court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). The court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, __F.3d__, 2005 WL 1713188, at *3 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct *de novo* review, but instead

must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Based on his review of the record, the Magistrate Judge has recommended that Defendant’s motion for summary judgment be granted and the case dismissed.

After reviewing the complaint, the motion, the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

Therefore, it is ordered that Defendant’s motion for summary judgment is **GRANTED** and the case *dismissed with prejudice*.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
September 12, 2005

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